

Act, or we call it the CLEAR Act, gained the support of some 125 Members. Our purpose is fairly simple: State and local law enforcement personnel would be fully authorized to investigate, apprehend, and, if necessary, remove criminal aliens in the United States.

Already this year our Justice Department has asked for help from local law enforcement on this issue. According to Reuters News, the Bush administration now recognizes that, "The United States has freed numerous illegal aliens into the community who are dangerous murderers, rapists and child molesters under a legal loophole created by Supreme Court decisions, and that "Congress should urgently pass legislation to close this loophole, which has already resulted in the release of several extremely violent offenders, with others scheduled to be released soon."

According to the report, U.S. Justice Department Deputy Assistant Attorney General Jonathan Cohn made this request of the Committee on the Judiciary of the House of Representatives on March 14.

We have the legislative draft to do just what they want, this year's pending version of the CLEAR Act. We plan to introduce the 2005 version within the next few weeks. We do welcome constructive input from the administration, from Members of both parties and members of both houses. But from what we have learned thus far from the Minuteman Project, the CLEAR Act cannot be a stand-alone remedy for stopping the hordes of vicious foreign criminals invading our country to murder, rape and molest Americans.

My one bill will not do it, not by itself. We can provide local and State law enforcement with the tools to remove these criminal elements through guaranteed deportation. We can help Homeland Security do their job. But it does little if they can simply pour back across unsecured borders. You have gotten nothing done.

The CLEAR Act, therefore, will become a critical component of overall immigration and border reform. I urge every Member in this body to join in this effort with the CLEAR Act. In return, I pledge to support whatever legislative measures that are necessary to secure our borders. That includes a total military closing, if necessary, to stop these criminals. I fully understand the meaning of "closing," even if it is a temporary closing. It is a time we in this body are going to be able to declare whose side are we on.

□ 2115

Are we on the side of fellow Americans, or are we on the side of those of the new world order who want no borders? It is that simple. The vote will come down to just that.

The SPEAKER pro tempore (Miss McMORRIS). Under a previous order of the House, the gentleman from Oregon

(Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### ORDER OF BUSINESS

Mr. JONES of North Carolina. Madam Speaker, I ask unanimous consent to take my Special Order at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

#### IN SUPPORT OF LIEUTENANT PANTANO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Madam Speaker, today is the third day of the Article 32 hearing for Second Lieutenant Ilario Pantano, a Marine who I have talked about here on the floor at great length and who has served our Nation bravely in both Gulf wars.

In an action of self-defense a year ago in Iraq, Lieutenant Pantano made a split-second, battlefield decision to shoot two Iraqi insurgents who refused to follow his orders to stop their movement towards him. Two and a half months later, a sergeant under his command, who never even saw the shooting and who was earlier demoted for his lack of leadership abilities, accused him of murder. Because of that, Lieutenant Pantano today continues to face an Article 32 hearing where a hearing officer will determine whether he will face a court martial for two counts of premeditated murder.

Last night I described how yesterday's hearing came to a halt when it became apparent that Lieutenant Pantano's accuser, Sergeant Coburn, had recently violated his superior's orders not to give an interview on this case. The defense showed that he was interviewed for various media outlets, including last week's New York Magazine cover story on the case.

In fact, Sergeant Coburn may now face charges for disobeying orders, and he left the stand yesterday after the hearing officer recommended he get an attorney.

Madam Speaker, it seems obvious that this man's testimony cannot be considered credible. How can these charges move forward when the primary witness is someone who did not actually see the shooting and who may now face charges for disobeying serious orders about the case?

Let me also quote from Navy Medical Corpsman George Gobles, the only other person present at the time of the shooting, and the prosecution's other main witness who took the stand yesterday. He called Pantano "a damn good leader." He continued to testify:

"I felt the safest with, you know, this platoon because more than anything, because of Lieutenant Pantano, because of his leadership."

Madam Speaker, as I have said many times before, Lieutenant Pantano is by all accounts an exceptional Marine. I hope that yesterday's proceedings have finally begun to bring out the truth in this case. I pray that the end is near so that Pantano's family can put this behind them and move forward with their lives. I hope that in the next day or two, as this hearing ends, the hearing officer comes to the same conclusion that I and many like me have come to, that Lieutenant Pantano should never have been charged in the first place, and that all charges against him are dropped. I hope and I pray that the truth will prevail.

Madam Speaker, in conclusion, I continue to ask my colleagues to research the case and consider supporting House Resolution 167, my bill to help support Lieutenant Pantano as he faces this battle. I encourage them to visit his mother's Web site at [www.defendthedefenders.org](http://www.defendthedefenders.org) and learn more about this fine young Marine, and I would be proud to call him my son or my son-in-law.

I close by asking the good Lord in heaven to please bless Lieutenant Pantano and his family, and by asking the good Lord in heaven to please continue to bless our men and women in uniform, and I ask the good Lord in heaven to continue to bless America.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

(Mr. GUTKNECHT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

Mr. SCHIFF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### A LITTLE ENGINE THAT COULD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FOLEY) is recognized for 5 minutes.

Mr. FOLEY. Madam Speaker, it has been one interesting week here; and if my colleagues read the media and listened to the noise and the clatter, one would think that nothing is ever getting done in this building.

I opened the Washington Times today and I found a very thoughtful article that I will enter into the RECORD written by Gary Andres. Let me read the headline: "The Little Engine That Could. Hill Bipartisanship Helps Pass Important Legislation."

I will read the article: "The noisy rub of grinding partisanship drowns out most other sounds on Capitol Hill these days. Controversies about congressional ethics and confirming judges not only threaten to jam the legislative gears, but also fuel the media's motor. Yet, a closer peek under the lawmaking hood reveals a quietly humming bipartisan engine. Despite roaring hyperbole from some Democratic congressional leadership offices, a significant number of rank-in-file minority party members are joining Republicans to pass an impressive list of significant accomplishments."

This is maybe why they fear the gentleman from Texas (Mr. DELAY) and tried to characterize him in some of the meanest ways.

Listen to the scorecard:

"So far this year in the House," thanks to the leadership of the gentleman from Texas (Mr. DELAY), "50 Democrats helped pass class action reform, 112 Democrats voted for congressional continuity, 42 Democrats joined in legislation repealing the death tax, 73 supported the bankruptcy bill, 42 Democrats broke ranks on the Real ID bill" dealing with immigration and driver's licenses, "and last week, 41 Democrats joined the Republicans on the final version of the energy bill."

That is legislative accomplishment. That is legislative leadership, and that is provided by this majority.

I continue: "This bipartisan 'little engine that could' is gaining so much momentum that it is causing certain Democrats to wrap common sense around their rhetorical axles. Nancy Pelosi's spokesperson was quoted in this newspaper last week saying, Republicans were trying to 'distract' people by passing bipartisan legislation, a novel interpretation of what others might consider laudable accomplishments."

In fact, these are my words, every time we have a bill, people say, if they would only work in a bipartisan manner, we would be able to help the Republicans pass these important bills.

I continue with Gary's analysis: "Being 'shut out of the process' or Republicans 'abusing power,' promoting an 'extremist agenda' have been central lines in this year's Democratic leadership political prose. Yet, if the process is hopelessly flawed and ideologically unbalanced, why are so many Democrats voting for this growing agenda of success? Part of the explanation is what political scientists call

'hyper-pluralism.' A growing number of liberal interest groups join together and making rigid, uncompromising demands on lawmakers. These demands are not about supporting an alternative agenda; it's all about opposition, all the time.

"Hyper-pluralism begets extreme partisanship, meaning Democrat leaders get stuck in 'just say no' speed. No matter what the issue, they oppose. And when they try to shift gears, like Democratic whip Steny Hoyer recently did by supporting the final passage of the bankruptcy bill, torrents of vitriol rain down upon them from interest groups, making breaking out of the opposition lock-step even more difficult next time."

Let me go on, and I will miss this, but it will be entered into the RECORD:

"The major pieces of legislation passed in the House so far this year on legal reform, energy, taxes, and congressional continuity are not, as some of the Democrat leadership argues, part of an 'extreme right-wing agenda.' An average of 62 Democrats joined with the Republicans to pass the six referenced bills.

"Rank-and-file Democrats with reasonable ideas aimed at improving the legislative product, as opposed to bogging down the process or embarrassing Republicans, will have numerous opportunities to play a constructive role. Reasonable Democrats should not miss the chance to put their mark on public policy."

Now, this demonstrates dramatically that we have been able to construct bipartisan legislation to the credit of the majority leader, the gentleman from Texas (Mr. DELAY). He is so successful that the only way to beat him is to demean him and to pillorize him, and I can tell you one thing about the man that I know. He is a kind, decent, God-fearing man. And when he is able to construct these kinds of victories, it is a result of leading this Congress in the direction that most Americans agree with.

We just heard from the gentleman from Georgia (Mr. NORWOOD) talking about immigration. That is an issue America cares about. That is one we should tackle. I think Americans care about Social Security too, but instead of talking constructively about fixing Social Security, we demonize the President, we demonize the plan. They are not even sure what is in the plan, but they are going to continue to demote and demean the plan.

Now, I believe in my heart that a lot of people came here to do the right thing. I know a lot of Democrats and a lot of Republicans want to make America better and stronger. We have to get out of the mindset of beating, berating, destroying individuals in order to succeed at our game. We should not sacrifice any Member of this Congress on the altar of personal destruction. We will not allow this process to be bogged down by them using one individual to characterize this Chamber or this process.

The gentleman from Texas (Mr. DELAY) is a fine, fine gentleman. We may disagree on some issues, but he is a fine gentleman; and I can suggest to my colleagues, looking at this scorecard where so many Democrats joined us on so many bills to reform this process, that this is, in fact, a bipartisan body that is working. This is a bipartisan body that is producing real product on behalf of the American people, and this is a Chamber that has decided to work on behalf of the American people to get things done for the American people.

So I salute our leadership. I welcome the opportunity to continue to participate in meaningful debates, and I urge everyone to open up the Washington Times, read Gary Andres' important observation about this process. And when my colleagues read it in totality, and when they get the full, rich meaning of the words on this page, they will see exactly why we are on the right track to helping grow this economy.

A "LITTLE ENGINE THAT COULD"

(By Gary Andres)

The noisy rub of grinding partisanship drowns out most other sounds on Capitol Hill these days. Controversies about congressional ethics and confirming judges not only threaten to jam the legislative gears but also fuel the media's motor. Yet a closer peek under the lawmaking hood reveals a quietly humming bipartisan engine. Despite roaring hyperbole from some Democratic congressional leadership offices, a significant number of rank-in-file minority party members are joining Republicans to pass an impressive list of significant accomplishments.

So far this year in the House, 50 Democrats helped pass class action reform, 122 voted for congressional continuity, 42 joined in legislation repealing the death tax, 73 supported the bankruptcy bill, 42 Democrats broke ranks on the Real ID bill, and last week, 41 joined the Republicans on the final version of the energy bill.

This bipartisan "little engine that could" is gaining so much momentum that it's causing certain Democrats to wrap common sense around their rhetorical axles. Nancy Pelosi's spokesperson was quoted in this newspaper last week saying Republicans were trying to "distract" people by passing bipartisan bills—a novel interpretation of what others might consider laudable accomplishments.

Being "shut out of the process" or Republicans "abusing power" promoting an "extremist agenda" have been central lines in this year's Democratic leadership's political prose. Yet if the process is hopelessly flawed and ideologically unbalanced why are so many Democrats voting for this growing agenda of success? Part of the explanation is what political scientists call "hyper-pluralism." A growing number of liberal interest groups join together and make rigid, uncompromising demands on lawmakers. These "demands" are not about supporting an alternative agenda, it's all about opposition—all the time.

Hyper-pluralism begets extreme partisanship, meaning Democratic leaders get stuck in "just say no" speed. No matter what the issue, they oppose. And when they try to shift gears, like Democratic Whip Steny Hoyer of Maryland recently did by supporting final passage of the bankruptcy bill, torrents of vitriol rain down upon them from interest groups, making breaking out of the opposition lock-step even more difficult next time.

Compromise may be the mother's milk of the lawmaking process, but today's opposition leaders believe it curdles fundraising appeals and sours the party base's energy. Today's Democratic leaders take their opposition role quite literally. They do what they think opposition leaders should do—"oppose," always. And evidently the media thinks this continuing saga whets public interest.

But focusing exclusively on the rhetoric and voting patterns of Democratic leaders—as the media often does in writing the conflict story dujour—misses another significant development. For those not charged with daily maintenance of fanning the conflict flames, there are tremendous opportunities to shape public policy. Democratic rank-in-file lawmakers are not politically tone-deaf to their constituents' aversion to constant bickering; their leadership's one-note sonata is beginning to grate. That's why the list of bipartisan accomplishments in the House is expanding.

The major pieces of legislation passed in the House so far this year on legal reform, energy, taxes and congressional continuity are not—as some in the Democratic leadership argue—part of an "extreme right wing agenda." An average of 62 Democrats joined with the Republicans to pass the six bills referenced above.

Rank-in-file Democrats with reasonable ideas aimed at improving the legislative product, as opposed to bogging down the process or embarrassing Republicans, will have numerous opportunities to play a constructive role. Reasonable Democrats should not miss this chance to put their mark on public policy.

The next big test is the Central American Free Trade Agreement. The question is: Will the "little engine that could" continue to hum along and will a significant number of Democrats support this legislation promoting economic growth and open markets? Or will they succumb to the fear tactics and threats of leaders more interested in party discipline and consolidating power?

Clearly, Republicans will be open to accommodate reasonable Democrat amendments and ideas. After all, passing legislation with 40-60 Democrats is in Republicans' long-term political interest as well. The question is how many Democrats will reject mere nay saying and seize the opportunity to lubricate the engine of bipartisan success.

#### THE PLIGHT OF THE TEXAS RICE FARMER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Texas (Mr. POE) is recognized for 60 minutes as the designee of the majority leader.

Mr. POE. Madam Speaker, on Friday night, April 15, I had a meeting with local rice farmers in my southeast Texas district. We met out in the country in the lowland plains of east Texas on Aggie Drive in Beaumont, Texas. Really, it was closer to China, Texas. Many of these men had finished a 16-hour day and came to the meeting after working all that time in the fields. They drove up in their standard work vehicles: Texas pickup trucks. Their appearances would fool you, however. They are highly intelligent, some very well educated. They know more about farming, farming machinery, nature, conservation, irrigation, water resources, meteorology, pesticides, in-

secticides, fertilizer, trade, global competition, foreign governments, and efficiency than many who have a string of degrees behind their names, especially those near this House.

As we sat around and ate fried catfish made out of rice flour, I talked to them for several hours about their plight. One rice farmer said this was his last year in farming. He was finally just going to sell off his equipment and sell the land. They painted for me, Madam Speaker, the extremely bleak picture of the present and future in rice farming. And while one could argue that economic decline plagues all rural America across the board on account of the death tax and high tax levels, too many government regulations, the rice farming industry has been hit particularly hard.

Consider the following: in 1997, 8 years ago, there were about 10,000 rice farms in the United States. By 2002, that number had dropped to about 8,000. The State of Texas in 1972 had more than 600,000 acres of rice farming. That is about the size of Rhode Island. Last year, it was less than 200,000 acres, a two-thirds loss of the land to something else. Unfortunately, rice farmers, those in southeast Texas, for example, cannot change to alternative crops because other crops do not thrive in this environment, the marshy, unique wetlands and humid climate of southeast Texas.

In addition, the farmers have to contend with the whims of the Lone Star weather, ranging from sun to hail, too much rain to not enough rain, or none at all. Natural disasters like hurricanes, they come and go and ravage the land where we live. According to the United States Department of Agriculture's Economic Research Service, in 2002, the average American rice farmer made about \$1,700 from farming, or about 82 cents an hour for a 40-hour work week. I will repeat that. That is 82 cents an hour for a 40-hour work week, and that was with government support. This harsh reality forces most farmers to rely on nonfarming income to support their households.

□ 2130

Rice farmers work their own land, Madam Speaker. They do not hire day laborers or seasonal workers. They cannot afford it. The farmer and his kids, they work the land. Rice farmers can barely support themselves financially, let alone make needed contributions to the industry to keep it afloat.

At one time the American Rice Growers Cooperative Association in Dayton, Texas, that is in my district, they owned an irrigation system using the Trinity River to irrigate between 5,000 and 6,000 acres of rice land. It has not run in 3 years because not enough farmers could financially commit to pay \$25,000 to run the pumps to irrigate the land.

Now, get this, Madam Speaker. The water rights have been sold to the city of Houston, and the land is being used

for trailer parks which, as one farmer put it, once the land is gone, it is over for the rice farmers. You see, rice land takes years to develop. If it remains unused for extended periods of time, like 3 years, the land becomes useless for rice farming.

Moreover, industry representatives are dwindling. Farm machines, the John Deere stores, they are disappearing. Each year, older farmers quit or retire. Each year, less acreage is being used for crops. Each year, fewer young men go into farming because the cost versus the return on this investment is not sufficient for any type of lifestyle. What is the incentive for the young to enter the farming industry?

This meeting we had on April 15, most of the farmers there were at least 50 or older. Farming, rice farming is a very labor- and energy-intensive business. It requires electricity to run the pumps to irrigate the crops, diesel fuel to run the combines, and fuel for the crop dusters, pesticides to control insect problems. And we have a lot of insects in southeast Texas.

In addition to the labor from early morning to dark, from February to November, it is about 8:30 now, Madam Speaker, in southeast Texas, most of the rice farmers are coming in from working all day.

All the costs have increased, yet the price that the farmer receives for selling his crop remains the same or has dropped. It also takes an enormous amount of time to fill out Federal forms, which has tripled, according to the farmers.

These farmers are required just to sell the rice they grow. Due to government regulations, sanctions have prohibited farmers from making sales of their crops in an open market. They are even told by this government, our government, how much they can plant.

Back in the 1970s, in what was called the rural renaissance, an average of 300 farmers or so would attend the American Rice Growers annual dinner. Last year at the dinner, 14 rice farmers showed up.

Once the experienced rice farmers leave the industry, we cannot restore this lost knowledge. No government program can do that. Not to mention that the present farm program constitutes only four-tenths of 1 percent of the national budget.

Madam Speaker, I would like to take some time to recount the personal stories of two of the countless Texas rice farmers, to give this body an idea just who these folks are.

Ray Stoesser, he is a friend of mine. He is also a third-generation rice farmer in southeast Texas. He has a true appreciation for the value of research, education, and he loves the land. One of the most successful and consistent producers, he brings an exceptional crop each year to the rice market.

Ray is quick to point out there is no secret to rice farming. He says, "I believe that God could give me the talent